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Filing date: **02/26/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211251
Party	Plaintiff Marvel Characters, Inc.
Correspondence Address	Linda K McLeod KELLY IP LLP 1330 CONNECTICUT AVE NW, SUITE 300 WASHINGTON, DC 20036 UNITED STATES linda.mcleod@kelly-ip.com, docketing@kelly-ip.com, david.kelly@kelly-ip.com, stephanie.bald@kelly-ip.com, larry.white@kelly-ip.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	David M. Kelly
Filer's e-mail	david.kelly@kelly-ip.com, docketing@kelly-ip.com, larry.white@kelly-ip.com
Signature	/David M. Kelly/
Date	02/26/2014
Attachments	SABERTOOTH - Motion to Extend Deadlines.pdf(10579 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>MARVEL CHARACTERS, INC.,</p> <p style="text-align: center;">Opposer</p> <p style="text-align: center;">v.</p> <p>SABERTOOTH MOTORCYCLES, LLC.,</p> <p style="text-align: center;">Applicant.</p>	<p>Opposition No.: 91211251</p> <p>Mark: SABERTOOTH Serial No.: 85483515 Filed: November 30, 2011</p>
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**STIPULATION TO EXTEND DISCOVERY AND  
TRIAL PERIODS**

Marvel Characters, Inc., (“Opposer”), through its undersigned counsel, respectfully requests that the Board extend the discovery period by thirty (30) days for the limited and sole purpose of Opposer completing the depositions of Applicant (i.e., a 30(b)(6) deposition of Applicant and a deposition of Ben Daniels of Applicant) that Opposer noticed prior to the close of the current discovery deadline of March 1, 2013, and reset all subsequent trial dates as set forth below.

<b>Time to Answer</b>	CLOSED
<b>Deadline for Discovery Conference</b>	CLOSED
<b>Discovery Opens</b>	CLOSED
<b>Initial Disclosures Due</b>	CLOSED
<b>Expert Disclosure Due</b>	CLOSED
<b>Discovery Closes</b>	03/31/2014
<b>Plaintiff's Pretrial Disclosures</b>	05/15/2014
<b>Plaintiff's 30-day Trial Period Ends</b>	06/29/2014
<b>Defendant's Pretrial Disclosures</b>	07/14/2014
<b>Defendant's 30-day Trial Period Ends</b>	08/28/2014
<b>Plaintiff's Rebuttal Disclosures</b>	09/12/2014
<b>Plaintiff's 15-day Rebuttal Period Ends</b>	10/12/2014

This request is not filed for purposes of delay. The parties are actively engaged in settlement discussions, and submit that the extension of time will save resources for both the parties and the Board. In addition, the parties need additional time to complete the noticed depositions to accommodate the travel schedule of Sabertooth Motorcycle, LLC's representative, Ben Daniels, who will be out of the country on February 28, 2014, the date noticed for both depositions.

Applicant, Sabertooth Motorcycle, LLC, through Ben Daniels, consented to this request in an email exchange with Opposer's counsel on February 24, 2014.

Accordingly, Opposer respectfully requests that all dates be reset as set forth above.

Respectfully submitted,

Dated: February 26, 2014

By /David M. Kelly/  
David M. Kelly  
david.kelly@kelly-ip.com  
Linda K. McLeod  
linda.mcleod@kelly-ip.com  
Mary E. Brownfield  
molly.brownfield@kelly-ip.com  
KELLY IP, LLP  
1330 Connecticut Ave., NW  
Suite 300  
Washington, DC 20036  
Phone: 202-808-3574  
  
Attorneys for Opposer  
Marvel Characters Inc.

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the forgoing STIPULATION TO  
EXTEND DISCOVERY AND TRIAL PERIODS was served by first class mail, postage  
prepaid, on this 26th day of February 2014, upon Applicant at both the following  
address of record in this opposition proceeding:

BEN DANIELS  
SABERTOOTH MOTORCYCLES LLP  
26 LYMAN RD  
CHESTNUT HILL, MA 02467-2810

and the following address of record for the opposed mark:

BEN DANIELS  
SABERTOOTH MOTORCYCLES LLC  
5 Sachem Rd.  
Needham, MA 02494

/Larry L. White/  
Larry L. White  
Litigation Case Manager